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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	08/852,020
Filing Date	May 6, 1997
First Named Inventor	Maruyama
Art Unit	1636
Examiner Name	G. G. Leffers, Jr.
Attorney Docket Number	TSRI 432.0 D1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii.  Other \_\_\_\_\_

- b.  Enclosed

i.  Amendment/Reply

iii.  Information Disclosure Statement (IDS)

ii.  Affidavit(s)/ Declaration(s)

iv.  Other \_\_\_\_\_

2. **Miscellaneous**

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

a.  period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a.  Deposit Account No. 19-0962

i.  RCE fee required under 37 CFR 1.17(e)

07/14/2004 001RETAI 00000136 0665EVE0

ii.  Extension of time fee (37 CFR 1.136 and 1.17)

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iii.  Other \_\_\_\_\_

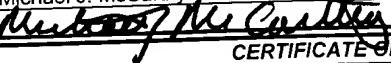
b.  Check in the amount of \$ 880.00

enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

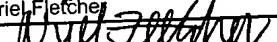
**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Michael J. McCarthy	Registration No. (Attorney/Agent)	46,910
Signature			

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Name (Print/Type)	Ariel Fletcher	Date	July 7, 2004

Name (Print/Type)	Ariel Fletcher	Date	July 7, 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this AMENDMENT and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date indicated below with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Ariel Fletcher*

Ariel Fletcher

*7/7/2004*

Date of Deposit

Applicant: Maruyama, et al.

) Examiner: G. G. Leffers, Jr.

Serial No.: 08/852,020

) Confirmation No.: 6556

Filed: May 6, 1997

) Art Unit: 1636

Title: LAMBDOID BACTERIOPHAGE VECTORS  
FOR EXPRESSION OF FOREIGN  
PROTEINS

) Our Ref. No.: 432.0 D1

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RESPONSE TO OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Response is being filed in response to the Office Action mailed on May 3, 2004 issued in association with the above-captioned application. Enclosed is a Petition for a one month extension of time and a check in the amount of \$110.00 to cover the cost of that Petition.

A complete listing of claims begins on page 2 of this paper.

Remarks begin on page 4 of this paper.